

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 14396 of 2004

Between:

1 Y. Sundaramani W/o. Late Y. Subbarao
R/o. 6-1-101/5, Padmarao Nagar, Secunderabad,

Hyderabad.

2 Y. Srinivasa Krishna Murthy S/o. Late Y. Subbarao,
R/o. Flat No.401, Jagannatha Enclave, H.No. 1-1-380/17,

Ashoknagar, Extension, Hyd.

3 Y. Sada Siva Rao S/o. Late Y. Subbarao,
Flat No. 401, Jagannatha Enclave, H.No. 1-1-380/17,

Ashoknagar, Extension, Hyd.

4 Smt. K. Lakshmi Kameswari W/o. K. Vijaykumar,
Flat No. 401, Jagannatha Enclave, H.No. 1-1-380/17,

Ashoknagar, Extension, Hyd. **PETITIONERS**

AND

1 The Central Registrar/Registrar of Cooperative Societies, A.P.,

M.J.Road, Hyderabad.

2 The Arbitrator/Central Registrar/ Registrar of Cooperative

Societies, A.P., M.J.Road, Hyderabad.

3 The Bombay Mercantile Cooperative Bank Ltd., rep. by its

Branch Manager, Branch Office at M.J. Market, Hyderabad.

4 M/s. R.I.Associaes, a partnership firm, rep.by Syed Ali Zaheer,
R/o. 6-3-249/3/1, Saaz Apartments, Banjara Hills, Hyd.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate writ, order or direction, more in the nature of Mandamus, declaring that the Award passed by the 2nd respondent in RC.No.48378/2000 L1 Dt.

18.4.2001 as illegal, unjust, void ab-initio and contrary to law as the same are issued without power authority or jurisdiction in view of the provisions of Recovery of Debts Due to Banks and Financial Investment Act, 1993 apart from the 3rd respondent has no right to bring the property of the petitioners for sale in pursuance of the award dt. 18.4.2001 without advancing any amounts to them.

Counsel for the Petitioners: MR.C.A.RSESHAGIRI RAO

Counsel for Respondents 1 to 2: GP FOR COOPERATION

Counsel for Respondent No.3: V.Dyumani

The Court at the stage of admission made the following ORDER:

Learned counsel for the petitioners seeks permission of this Court to withdraw the writ petition.

Permission is accorded and the writ petition is dismissed as withdrawn. No costs.

07-12-2004

kdl

To

1 The Central Registrar/Registrar of Cooperative Societies, A.P.,

M.J.Road, Hyderabad.

2 The Arbitrator/Central Registrar/ Registrar of Cooperative

Societies, A.P., M.J.Road, Hyderabad.

3 The Bombay Mercantile Cooperative Bank Ltd., rep. by its

Branch Manager, Branch Office at M.J. Market, Hyderabad.

4 Two C.Cs. to the Government Pleader for Co-operation, High Court Buildings,
A.P., Hyderabad (OUT).

5 Two C.D. Copies.